

Appl. No. : 10/626,176
Filed : July 24, 2003

SUMMARY OF INTERVIEW

Exhibits and/or Demonstrations

A product substantially similar to that shown in the drawings was demonstrated.

Identification of Claims Discussed

Claims 1-18.

Identification of Prior Art Discussed

U.S. Patent No. 5,715,992 to Andrews, Sr. et al. and all art of record in general.

Proposed Amendments

Amendments to Claim 1 were proposed, as reflected above in amended Claim 1 in the listing of claims.

Principal Arguments and Other Matters

Applicant thanks the Examiner for the courtesy shown to Applicant's Attorney at interview on February 2, 2006. During the interview, Claims 1-18 and U.S. Patent No. 5,715,992 to Andrews, Sr. et al. were discussed, as was all art of record in general. Applicant's attorney indicated that antecedent basis for the embodiment of Claim 12 would be provided in the specification. In addition, it was proposed to amend Claims 1-3 as set forth in the listing of claims. The Examiner indicated that the proposed amendment of Claim 1 would define over the prior art of record.

Results of Interview

As a result of the interview, Applicant has amended Claim 1 and cancelled Claims 13-18.

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REMARKS

The November 30, 2005 Office Action (the "Office Action") was based upon pending Claims 1-18. This Amendment amends Claims 1-3, 7, and 10 and cancels Claims 13-18 without prejudice or disclaimer. Thus, after entry of this Amendment, Claims 1-12 are pending and presented for further consideration. Applicant respectfully requests reconsideration of the pending claims as amended herein.

OBJECTIONS TO THE SPECIFICATION

In the Office Action, the disclosure was objected to because the Serial Number of the provisional application was omitted from the paragraph that follows the title "Related Cases" on page one of the application. Applicant has amended the specification to include the Serial Number of the provisional application. Accordingly, Applicant respectfully requests the Examiner to withdraw the objection to the disclosure.

Additionally, in the Office Action, the specification was objected to as failing to provide proper antecedent basis for the claimed subject matter in Claims 12 and 18.

With respect to Claim 12, Applicant has amended paragraph [0032] of the specification to include: "As will be appreciated by those of skill in the art from the description and figures, the bag may be adhered to one or more of the sidewalls of the outer shell." As one skilled in the art would recognize that the bag could be adhered to one or more of the sidewalls of the outer shell (e.g., the front wall panel 16, the back wall panel 18, the right side wall panel 20, or the left side wall panel 22), Applicant submits that no new matter is being introduced by way of this amendment. Applicant respectfully submits that the specification, as amended, provides antecedent basis for the claimed subject matter in Claim 12.

With respect to Claim 18, Applicant notes that the original recitation therein of a tab affixed to the outer shell was erroneous. Claim 18 should have recited a "bag" in the place of each recitation of a "tab." Accordingly, were this claim to be amended to its intended form, the amendment to paragraph [0032] discussed above would provide proper antecedent basis for Claim 18. However, Applicant has canceled Claim 18

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herein without prejudice or disclaimer, mooting any need to amend this claim and mooting the instant objection to the specification based thereon.

Accordingly, Applicant respectfully requests the Examiner to withdraw the objections to the specification.

OBJECTION TO THE DRAWINGS

In the Office Action, the drawings were objected to under 37 C.F.R. 1.83(a) as failing to show the embodiment of Claim 18. As discussed in more detail above, Applicant has canceled Claim 18 herein without prejudice or disclaimer, mooting this objection.

REJECTION OF CLAIM 18 UNDER 35 U.S.C. § 112

In the Office Action, Claim 18 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description and enablement requirements. Applicant again respectfully notes that Claim 18 should have recited a "bag" in the place of each recitation of a "tab." Accordingly, were Claim 18 to be amended to its originally intended form, the written description and enablement requirements for the amended Claim 18 would be satisfied by the amendment to paragraph [0032] discussed above. However, Applicant has canceled Claim 18 herein without prejudice or disclaimer, mooting any need to amend Claim 18 and mooting the instant rejection based thereon.

REJECTION OF CLAIMS 2, 3, 10, AND 18 UNDER 35 U.S.C. § 112

In the Office Action, Claims 2, 3, 10, and 18 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended Claims 2, 3, and 10 herein to address the issues noted by the Examiner. As discussed in more detail above, Applicant has canceled Claim 18 herein without prejudice or disclaimer, mooting the rejection of this claim. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of Claims 2, 3, and 10 and to pass these claims to allowance.

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REJECTION OF CLAIMS 1-12 UNDER 35 U.S.C. § 102

In the Office Action, Claims 1-12 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,715,992 to Andrews, Sr. et al. Pursuant to the interview between the Examiner and Applicant's undersigned attorney, Applicant has amended Claim 1 as set forth in the listing of claims. The Examiner indicated that Claim 1, as amended, would define over the prior art of record. Accordingly, Applicant respectfully submits that amended Claim 1 is in condition for allowance. Applicant further submits that each of Claims 2-12 is allowable, among other reasons, as depending from Claim 1.

Therefore, Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1-12 and to pass these claims to allowance.

REJECTION OF CLAIMS 13-17 UNDER 35 U.S.C. § 103

In the Office Action, Claims 13-17 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,715,992 to Andrews, Sr. et al in view of various other references. Applicant has canceled Claims 13-17 herein without prejudice or disclaimer, mooted the rejection of these claims.

CONCLUSION

Claims 1-12 are believed to be in condition for allowance, and an early notification thereof is respectfully solicited. Should the Examiner determine that additional issues may be resolved by a telephone call, the Examiner is cordially invited to contact the undersigned so that such issues may be promptly resolved and the case passed to issuance.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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